

KANSAS STATE BOARD OF EDUCATION**Meeting Minutes****May 8, 2012****CALL TO ORDER**

Chairman Dennis called the May meeting of the State Board of Education to order at 10:01 a.m., May 8, 2012 in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

5/8/12 a.m.
session audio
archive
(00:00:08)

ROLL CALL

Members present were:

| | | | |
|--------------------------|---------------|-------------|-------------|
| John Bacon | Walt Chappell | Jana Shaver | Janet Waugh |
| Sally Cauble | David Dennis | Sue Storm | Ken Willard |
| Carolyn L. Wims-Campbell | Kathy Martin | | |

STATE BOARD MISSION STATEMENT, MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Chairman Dennis read the Board Mission Statement and then called for a moment of silence. The moment of silence was followed by the recitation of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Chairman Dennis asked to add item 7a. immediately after the Open Form, to consider Mrs. Ford's voluntary surrender of her teaching license. Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the agenda be approved as amended. The motion carried 10-0.

(00:02:45)
MOTION

APPROVAL OF THE APRIL MINUTES

Chairman Dennis indicated that the April minutes would be considered next month.

(00:02:59)

COMMISSIONER'S REPORT

In her monthly report to the Board Commissioner DeBacker updated the Board on the building search. She also reported on several upcoming meetings and answered several Board members' questions.

(00:03:05)

CITIZENS' OPEN FORUM

Chairman Dennis declared the Open Forum open at 10:25 a.m. Mr. Dennis indicated that Kris Ehling, Wichita, who had spoken at the open forum in April was unable to be present, but had written comments regarding seclusion and restraint that he asked be delivered to Board members. Those were handed out by the Board secretary. Those addressing the Board included Rocky Nichols, Topeka, representative of the Kansas Disability Rights Center, who shared comments about the proposed ESI (Emergency Safety Interventions) regulations and offered several amendments. Tom Krebs, Topeka, representing the Kansas Association of School Boards (KASB), urged the Board to let the power regarding ESI rest with local boards of education. He also shared information about KASB's Career Ready Task Force. Chairman Dennis declared the Open Forum closed at 10:32 a.m.

(00:23:55)

REQUEST FROM DONNA FORD FOR RECONSIDERATION OF HER VOLUNTARY SURRENDER OF HER TEACHING LICENSE

Dr. Chappell moved, with a second by Chairman Dennis, that the State Board approved the petition by which the State Board would set aside its Final Order issued on April 17th 2012 and restore the Professional Educator License to Donna L. Ford which she had earlier voluntarily surrendered. The carried 10-0.

(00:30:52)
MOTION

UPDATE ON THE NEXT GENERATION SCIENCE STANDARDS (NGSS)

David Barnes, KSDE Education Consultant, updated the Board on the NGSS. He reported that the first draft for public comment would be released on May 11th. He added there would be a

(00:31:18)

three week window for comments. He clarified that these standards were not part of the Common Core initiative. Because the update was earlier than planned, a member of the Kansas committee invited to speak to the Board had not yet arrived. Chairman Dennis asked for consensus from the Board to move ahead with the agenda until the speaker arrived. No objections were raised.

BREAK

(00:38:53)

The presentation on ensuring statewide awareness of KSSB & KSSD services was scheduled next but the superintendent for the school's had not yet arrived. It was decided that the Board take a break from 10:40 to 10:50 a.m.

CONTINUATION OF UPDATE ON THE NGSS

(00:40:09)

Paul Adams, Fort Hays State University and member of the Kansas Science Committee, addressed the Board about the need for good secondary science standards that will provide an application component not included in the current science standards. He described how the new standards would address deficiencies in the current standards. Discussion followed.

ENSURING STATEWIDE AWARENESS OF KSSB & KSSD SERVICES

(01:06:00)

The question for discussion as proposed by Commissioner DeBacker was if the two schools were servicing in the best manner possible all of the students and all of the children in Kansas that have sensory impairments. Madeline Burkindine, Superintendent of the Schools was present to participate in the discussion with the Board.

(01:32:00)

MOTION

After discussing many of the issues, Mr. Willard moved, with a second by Mrs. Martin, that the Board direct the Commissioner of Education to form a subcommittee composed of the appropriate partners to study problems with accessibility to ensure that all vision and hearing impaired children across the state receive appropriate and adequate services, with the subcommittee to report back to the Board in 90 days. The motion carried 10-0. Brief discussion followed about what was expected in the report.

LUNCH

The Board recessed for lunch at 11:45 a.m. and returned at 1:30 p.m.

RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION IN THE CASE OF TERRANCE VICK

5/8/12 p.m.
session audio
archive
(00:00:40)

Mr. Randy Mously, Chairperson of the Professional Practices Commission, presented the Commission's recommendation to the State Board that Mr. Vick's application for a new professional educator's license be denied. The recommendation was approved unanimously by the PPC on a vote of 8-0. Dr. Chappell had many questions.

MOTION

(00:09:28)

Mrs. Cauble moved that the Kansas State Board of Education adopt the findings of fact and conclusions of the Professional Practices Commission and approve the recommendation of the Commission in case of Terrance D. Vick, 09-O-02. The motion was seconded by Ms. Storm.

After hearing from one Board member why the Board should not follow the PPC's recommendation there were responses from other Board members. The motion carried on a vote of 9-1, with Chappell voting in opposition.-

(00:17:27)

Mrs. Waugh left the meeting after the vote on the Vick case because of the illness of a family member.

UPDATE ON ESEA FLEXIBILITY WAIVER

(00:17:28)

Assistant Director of Title Programs and Services, Judi Miller, reported to the Board on new developments regarding the Department's ESEA Flexibility Waiver request. She reported that the U.S. Department of Education had problems with the use of the Assessment

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Performance Index and the timeline for the KEEP evaluation program, two things Kansas has said it will not negotiate on. Board suggestions, questions and discussion followed.

The Board took a short break at 2:47 and returned at 3:00 p.m.

Break
(01:17:02)

MODIFICATION OF AGENDA ORDER

It was moved by Mrs. Wims-Campbell and seconded by Chairman Dennis, that the Consent Agenda be moved up to the next item on the agenda. Mrs. Waugh had already left for the day and Chairman Dennis was concerned about having a quorum at the end of the day when the Consent Agenda had been scheduled. The motion carried 7-1, with Chappell in opposition, Mrs. Waugh absent and Bacon temporarily out of the room.

(01:18:31)
MOTION

CONSENT AGENDA

Mrs. Wims-Campbell moved approval of the consent agenda. Chairman Dennis provided the second for the motion. The motion carried on a vote of 7-1, with Chappell voting in opposition and Mr. Bacon temporarily out of the room. In the consent agenda the Board:

MOTION
(01:19:10)

- Received the monthly personnel report.
- Confirmed the appointment of: Jessica Ludlum to the position of Requirements Analyst on the Information Technology team effective April 1, 2012, at an annual salary of \$50,918.40; Amal Latif to the position of Data Analyst on the Information Technology team effective April 23, 2012, at an annual salary of \$54,683.20; and Kyle Lord to the position of Requirements Analyst on the Information Technology team effective May 7, 2012, at an annual salary of \$50,918.40.
- Approved the Education Flexibility Partnership (Ed-Flex) waiver requests for Summerfield Elementary in USD 113 Prairie Hills and Cottonwood Elementary and Prairie Creek Elementary in USD 385 Andover.
- Issued an Order authorizing USD 313-Buhler, Reno County, to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation.
- Issued an Order authorizing USD 346, Jayhawk, Linn County, to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation.
- Accepted the recommendations for licensure waivers for: *Adaptive Special Education*: Terry Yoakam and Erin O'Connor, D0453; Diana Sloan, USD 475; Jessica Heiar, D0490; and Nathan Burns-Sprung, USD 501; *Early Childhood Special Education*: Alicia Bjorklund, USD 261; and Ashley Young, D0 616; Nicole Miller, D0 711; and *English as a Second Language*: Lacey Goebel, USD 489.
- Reappointed Gwen Landever to her first full three-year term of office and Ralph Beacham, Nick Compagnone, Tim Knoles, David Myers, Denise O'Dea, Michele Perez and Kate Thompson to their second three-year term of office on the Professional Standards Board to run from July 1, 2012 through June 30, 2015.
- Reappointed Phil Clark, Calin Kendall, and Susan Myers to their second three-year term of office on the Professional Practices Commission to run from July 1, 2012 through June 30, 2015.
- Reappointed Randy Rivers, Pamela Amott, and Linda Schukman to their second three-year term of office on the Licensure Review Committee to run from July 1, 2012 through June 30, 2015.
- Accepted the following recommendations of the Evaluation Review Committee for "Program Approval" through December 31, 2017 for Ottawa University: Art (I, PreK-12); Biology (I, 6-12); Early-Late Childhood (I, K-6); English (I, 6-12); History, Government, and Social Studies (I, 6-12); Mathematics (I, 6-12); and Physical Education (I, PreK-12).

- Accepted the recommendations of the Licensure Review Committee in cases: Tabled: 2713, Marissa King, Approved: Cases 2739, Cody Flory Robertson; 2742, Virginia Goen and USD 259; 2746, Irma Villadeig; 2764, Doyle Crosswhite; Case 2772, Robert Harrison; 2777, Amber Pagan and USD 233 Olathe; 2779, Laura Soliday; and Denied: Case 2759, Allyson Griffin .
- Approved the Pre-K Pilot Program grant requests from: Sedgwick County, \$686,387; Dodge City, \$176,604; Topeka, \$448,000; Douglas County, \$354,858; Reno County, \$503,196; Crawford County, \$212,808; Manhattan, \$439,145; Geary County, \$431,022; S. Central KS, \$389,312; Shawnee Mission, \$238,562; The Opportunity Place (Wichita); \$331,836; and KCK, \$588,271; for a total of \$4,800,000.
- Approved continued funding of Title II Part B Math and Science Partnership Grants for 2012-2013 in the amounts specified contingent upon demonstration that applicants are meeting grant requirements: Second year funding: Wichita, USD 259, in partnership with Wichita State University, \$136,473.00; Third year funding: Coffeyville, USD 445, in partnership with USD 234, USD 247, USD 257, USD 436, USD 503, USD 504, Pittsburg State University and SEKESC (Service Center #609), \$132,863.00; Emporia State University in partnership with USD 253 & Sacred Heart & St. Joseph Catholic Schools (Emporia), \$192,560.00; Hutchinson, USD 308 in partnership with USD 349, Holy Cross Catholic Elementary (Hutchinson), Wichita State University, Tabor College, and ESSDACK (Service Center #622), \$172,576.00; and Salina, USD 305, in partnership with Kansas Wesleyan University and Kansas State University at Salina, \$149,033.00.
- Approved recommendations for funding of the Migrant Summer Services Grants for: USD 102 Cimarron - \$10,289; USD 216 Deerfield - \$9,800; USD 218 Elkhart - \$15,237; USD 316 Golden Plains - \$7,700; USD 361 Anthony-Harper - \$9,302; USD 383 Manhattan - \$5,000; USD 445 Coffeyville - \$13,106; USD 457 Garden City - \$32,000; and D0 602 Northwest Educational Service Center - \$17,985;
- Approved distribution of diesel school bus replacement assistance funds to USD 494-Syracuse and USD 443-Dodge City in the amount of \$10,000 each.

Authorized the Commissioner of Education to negotiate and:

- continue a contract with the Kansas Institute for Peace and Conflict Resolution (Bethel College), in an amount not to exceed \$25,000;
- continue a contract with Kansas State University to provide Carl D. Perkins Leadership Grant activities, with a contract amount not to exceed \$70,427.30;
- continue a contract with Career Communications for American Careers publications, in partnership with the Kansas Board of Regents Career and Technical Education staff, in a contract amount not to exceed \$25,000; and
- continue a contract with the Southern Regional Education Board (SREB) for High Schools That Work (HSTW) and Technology Centers That Work (TCTW) membership fees and consortium activities through Carl D. Perkins in an amount not to exceed \$29,000;

RECOMMENDATIONS FOR TECHNICAL ASSISTANCE TO TITLE I SCHOOLS ON IMPROVEMENT

(01:19:42)

Deputy Commissioner Neuenswander presented recommendations for providing technical assistance to schools on improvement. They included a KSDE statewide school improvement coordinator; network services to provide district needs assessments, district action plan development and implementation, district facilitator, improvement coordinator and project management; consulting services; and evaluation of technical assistance/school improvement in the state. Questions and discussion followed during which Chairman Dennis stated he would like to see Kansas move away from using Cross and Jofthus for the Kansas Learning Network.

LEGISLATIVE UPDATE

(02:02:59)

Corey Carnahan, who has staffed all the redistricting committees gave Board members senate and board district maps that had been passed by the House committee and would be worked

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on the House floor on Wednesday and, if approved, forwarded to the Senate committee to concur or not concur. He noted that the Board district map included was the only one that existed in bill form at present. If the Senate does not concur, it could be requested that the State Supreme Court settle the issue by producing its own maps for the state. Questions followed.

Deputy Commissioner Dennis reviewed the status of major legislation yet to be decided and answered Board members' questions.

RECESS There being no further business Chairman Dennis recessed the meeting at 4:10 p.m.

David Dennis, Chairman

Penny Plamann, Secretary

KANSAS STATE BOARD OF EDUCATION**Meeting Minutes****May 9, 2012****CALL TO ORDER**

Chairman Dennis called the second day of the January meeting of the State Board of Education to order at 9:00 a.m., May 9, 2012 in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

5/9/12 a.m. session
audio archive
(00:00:21)

ROLL CALL

Members present were:

| | | |
|--------------------------|---------------|-------------|
| John Bacon | Walt Chappell | Jana Shaver |
| Sally Cauble | David Dennis | Janet Waugh |
| Carolyn L. Wims-Campbell | Kathy Martin | Ken Willard |

Ms. Storm was out of town.

APPROVAL OF THE AGENDA

Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the agenda be approved presented. The motion carried 9-0, with Ms. Storm absent.

MOTION
(00:00:38)

EMERGENCY SAFETY INTERVENTION (ESI) REGULATIONS

The proposed regulations for Emergency Safety Intervention had been presented to the State Board of Education at the April 2012 Board meeting. KSDE staff proposed that the regulations, as amended by KSDE staff, now begin the required adoption process, which starts by submitting the proposed regulations to the Department of Administration and Attorney General for their review. After review by the Department of Administration and Office of the Attorney General, the State Board will set a public hearing date for comments on the proposed regulations.

(00:0:52)

Board discussion included questions about the additional language that had been proposed by the Kansas Disability Rights Center and the accessibility of district policies. Mr. Willard moved that the State Board approve the submission of the Emergency Safety Interventions regulations 91-42-1 and 91-42-2 to the Department of Administration and Attorney General for review, provided that additional language be added to ensure that at a minimum written district policies must conform to the standards, definitions and requirements of the regulations including, but not limited to, that seclusion and physical restraint can only be used when it meets the standard and definition of being an emergency safety intervention. A further requirement would be that when each district's policies are written and implemented they shall send their policies and procedures electronically to the KSDE. Mr. Bacon seconded the motion.

(01:06:32)
MOTION

After further discussion, Mr. Willard and Mr. Bacon agreed to remove the language requiring that district policies be sent electronically to KSDE. It was stipulated that language be added that each local board make their policies accessible on their websites. The vote on the modified motion carried on a vote of 9-0.

(01:06:32)
Modification to Motion

Board members took a break from 10:39 to 10:48 a.m.

BREAK
(01:37:52)

BOARD MEMBER REPORTS

Chairman Dennis directed Board members' attention to a letter they had received inviting them to the Presidential Math and Science Awards ceremony on June 5th. He also indicated that he, Vice Chair Campbell and Department staff, including the Commissioner, would be meeting on June 22nd with representatives of the Kansas Policy Institute Dave Traebert and Jim De Franco. He also noted that he would be attending a NASBE Board of Directors meeting and

(01:38:26)
Chairman

the Bylaws committee. It was requested that Board members return the three folders on the Vick case.

Board Attorney

Mr. Ferguson briefly updated the Board on his current activities. He noted that though the Vick information was public, it contained many sensitive issues, and Board members should be selective and careful about how they answer any questions regarding the matter.

Spec Comm on the role of KSBE/w KSSD & KSSB

Mr. Bacon reported that the committee looking at the role of the State Board as the Board for the Kansas State School for the Deaf and the Kansas State School for the Blind had met a couple of times; had a white paper prepared by staff; heard from the Board attorney concerning the law; had reviewed the results of the survey sent to all Board members; had general discussion concerning communication issues and other types of information and oversight the State Board should have. A timeline had been discussed and the committee had estimated that a report would probably come to the Board in July or August.

Legislative Report

Mr. Willard reported that after providing the House with more information regarding the normal review process of the state standards for math and English language Arts, there appeared to be agreement to let expenditures on implementation of the common core standards move forward. A Legislative Post cost study would still be undertaken. He also reported on other legislative activity regarding redistricting and other meetings he had attended.

Other Board member reports

In other Board member reports, Dr. Chappell reported on the suicide of a 14-year old girl in Wichita that had been caused by bullying. Mrs. Martin reported on her attendance at the KSHSAA Board meeting. Mrs. Cauble reported on superintendents' meetings she had attended in her district. She also indicated her desire to attend a portion of the CCSSO Rural States meeting in Kansas City. Mrs. Waugh updated the Board on her activity on the Deeper Learning Focus group. She indicated the group hoped to have recommendation for state boards and state legislatures. She noted that the Friends of Education's ABC Award was given to Sue Storm at the Governor's Scholars Awards Ceremony. Mr. Willard also reported on the CTE task force.

Follow-up requestes

As follow up issues for staff, Mrs. Cauble asked about guidelines for disruptive children being mainstreamed, primarily those with autism spectrum disorders, and whether Kansas should have a state school like one in Colorado. Mrs. Wims-Campbell expressed her concern about alcohol and drug abuse in schools and wondered if it was an issue the Board should study. Mr. Willard asked for a review of the Visiting Scholar license, noting it was working well with CAPS and that there was a hunger for workers in big industry. He indicated that many industries would put individuals on sabbaticals so they could teach necessary skills to secondary students. He also requested that Quantum Learning be invited to have a booth at the KSDE annual conference.

Requests for Future Agenda Items

Mrs. Cauble would like a discussion of the sequestration issue. Dr. Chappell asked that the bullying issue be brought back to the Board as an agenda item. Dr. Chappell asked that agenda items that have been requested and not yet addressed be put on the agenda on Wednesday mornings. The Commissioner requested that Dr. Malbert Smith of MetaMetrics be invited to the June meeting to discuss summer reading loss. The Commissioner also requested that the Baldwin High School *Real World Design* Team be invited to present at the June meeting.

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REQUESTS FOR STATE BOARD TRAVEL

Chairman Dennis, Mrs. Cauble, Dr. Chappell and Mrs. Wims-Campbell asked that the travel for the Presidential Awards for Excellence in Math and Science Education be added to their requests. Dennis, Chappell and Wims-Campbell requested salary only and Cauble requested salary and mileage. Mrs. Wims-Campbell, with a second by Chairman Dennis, moved that the salary requests be approved with the additions. The motion carried 9-0. (02:33:20)

ADJOURNMENT

There being no further business, Chairman Dennis adjourned the meeting at 11:46 a.m.

David Dennis, Chairman

Penny Plamann, Secretary